In the
Indiana Supreme Court

IN THE MATTER OF THE)
)
APPROVAL OF LOCAL RULES) Case No. 17S00-1406-MS- 428
)
FOR DEKALB COUNTY)

ORDER APPROVING AMENDED LOCAL RULE

The Judges of the DeKalb Circuit and Superior Courts request the approval of an amended local rule for caseload allocation in accordance with Ind. Administrative Rule 1(E). Attached to this Order is the proposed amended local rule.

Upon examination of the proposed rule amendment requested by the DeKalb Circuit and Superior Courts, this Court finds that the proposed rule amendment, LR17-AR1-1 complies with the requirements of Ind. Administrative Rule 1(E), and, accordingly, should be approved and posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rule LR17-AR1-1 for DeKalb Circuit and Superior Courts, set forth as an attachment to this Order, is approved effective July 1, 2014. The Clerk of this Court is directed to forward a copy of this Order to the Hon. Monte L. Brown, DeKalb Superior Court, 100 South Main Street, Auburn, IN 46706-3251; the Hon. Kirk Carpenter, DeKalb Circuit Court, 100 South Main Street, Auburn, IN 46706-3251; the Hon. Kevin P. Wallace, DeKalb Superior Court 1, 100 South Main Street, Auburn, IN 46706-3251; to the Clerk of the DeKalb Circuit and Superior Courts; and to the Division of State Court Administration. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the DeKalb Circuit and Superior Courts is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and attachment for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, on June 25, 2014.

Brent E. Dickson
Chief Justice of Indiana

LR17-AR 1-1 – 2014 CASELOAD ALLOCATION PLAN FOR DEKALB COUNTY COURTS

(A)   Cases to be filed exclusively in the DeKalb Circuit Court:

JC*, JD, JS, JP, JM, JT, RS

(B)   Cases to be filed exclusively in the DeKalb Superior Court I:

FD, F6, CM, MC**, IF, OV

** In the event DeKalb Superior Court I is unable to hear a search warrant when requested, the warrant may be requested of and issued by any of the Judges or Courts.
** Probation transfers cases shall be filed in the same manner as criminal cases, ie, Misdemeanor and FD and F6 probation cases shall be filed in Superior Court I. MR, FA, FB, FC, F1, F2, F3, F4 and F5 probation cases shall be filed on a rotating basis between Superior I and Superior II.

(C)   Cases to be filed exclusively in the DeKalb Superior Court II:

SC

(D)   Cases to be filed on a rotating basis between DeKalb Circuit Court and DeKalb Superior Court II:

DR, MH, AD, AH, ES, EU, EM, GU, TR, PO, MI

(E)   Cases to be filed on a rotating basis between DeKalb Superior Court I and DeKalb Superior Court II:

MR, FA, FB & FC, PL, CC, MF, CT, OE, CB***, F1, F2, F3, F4 and F5
*** CB cases involving the appointment of Special, Pro Tem and Senior Judges shall be filed in the Court making the appointment.
Resolutions Spread of Record may be filed in any Court.

When additional criminal charges are filed against a Defendant with a pending MR, FA, FB, FC, F1, F2, F3, F4 or F5 case, the new charges shall be filed in the same Court as the pending case.

*JC-When the Judge of DeKalb Circuit Court has a conflict, the case shall be filed in DeKalb Superior Court II.

When the Judge of DeKalb Superior Court II has a conflict in a criminal case, the case shall be filed in DeKalb Superior Court I.

PC-The case to be filed in the court in which the underlying conviction was entered.

After hours search warrants, emergency mental health commitments and verbal CHINS detention orders may be requested of and authorized by any of the judges.

This caseload allocation plan shall be effective for one (1) year. The DeKalb County judges shall meet annually, and more often, if necessary, to review the caseload allocations.